

105TH CONGRESS
1ST SESSION

S. 773

To designate certain Federal lands in the State of Utah as wilderness,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 21, 1997

Mr. DURBIN (for himself, Mr. TORRICELLI, Ms. MOSELEY-BRAUN, Mrs. MURRAY, Mr. FEINGOLD, Mr. KENNEDY, Mr. KERRY, Mrs. BOXER, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To designate certain Federal lands in the State of Utah
as wilderness, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “America’s Red Rock
5 Wilderness Act of 1997”.

6 **SEC. 2. GENERAL PROVISIONS.**

7 (a) DEFINITION OF SECRETARY.—In this Act, the
8 term “Secretary” means the Secretary of the Interior.

1 (b) NAME.—Each wilderness area named in a table
2 contained in title I shall—

3 (1) consist of the land referenced in the table,
4 as generally depicted on the map entitled “Utah
5 BLM Wilderness Proposed by H.R. 1500, 102d
6 Congress”; and

7 (2) be known by the name given to it in the
8 table.

9 (c) MAP AND DESCRIPTION.—

10 (1) IN GENERAL.—As soon as practicable after
11 the date of enactment of this Act, the Secretary
12 shall file a map and a legal description of each wil-
13 derness area designated by this Act with the Com-
14 mittee on Resources of the House of Representatives
15 and with the Committee on Energy and Natural Re-
16 sources of the Senate.

17 (2) FORCE OF LAW.—A map and legal descrip-
18 tion filed under paragraph (1) shall have the same
19 force and effect as if included in this Act, except
20 that the Secretary may correct clerical and typo-
21 graphical errors in the map and legal description.

22 (3) PUBLIC AVAILABILITY.—Each map and
23 legal description filed under paragraph (1) shall be
24 filed and made available for public inspection in the

1 Office of the Director of the Bureau of Land Man-
2 agement, Department of the Interior.

3 **TITLE I—DESIGNATION OF**
4 **WILDERNESS**

5 **SEC. 101. GREAT BASIN WILDERNESS AREAS.**

6 (a) FINDINGS.—Congress finds that the Great Basin
7 region of western Utah is comprised of starkly beautiful
8 mountain ranges that rise as islands from the desert floor.
9 Some, like the Wah Wah Mountains, are arid and austere,
10 with massive cliff faces and leathery slopes speckled with
11 pinyon and juniper. Others, like the Deep Creek and
12 Stansbury Mountains, are high enough to draw moisture
13 from passing clouds and support ecosystems found no-
14 where else on earth. From bristlecone pine, the world's
15 oldest living thing, to newly flowered mountain meadows,
16 these islands of nature support remarkable biological di-
17 versity and provide opportunities to experience the colossal
18 silence of the Great Basin.

19 (b) DESIGNATION.—To protect and manage so as to
20 preserve the natural conditions of the Great Basin wilder-
21 ness areas in western Utah in accordance with the Wilder-
22 ness Act (16 U.S.C. 1131 et seq.), the following lands in
23 the State of Utah are designated as wilderness and as
24 components of the National Wilderness Preservation Sys-
25 tem:

| Name of Wilderness Area | Approximate Acreage |
|--|--------------------------------|
| Cedar Mountains Wilderness | 62,100 |
| Conger Mountain Wilderness | 20,400 |
| Deep Creek Mountains Wilderness | 90,200 |
| Dugway Mountains Wilderness | 23,100 |
| Fish Springs Range Wilderness | 55,200 |
| Granite Peak Wilderness | 16,000 |
| House Range Wilderness | 139,400 |
| King Top Wilderness | 78,800 |
| Little Goose Creek Wilderness | 1,300 |
| Newfoundland Mountains Wilderness | 23,300 |
| Rockwell Wilderness | 13,400 |
| Silver Island Mountains Wilderness | 27,200 |
| Stansbury Mountains Wilderness | 22,500 |
| Wah Wah Mountains Wilderness | 109,700 |
| White Rock Range Wilderness | 3,900 |

1 **SEC. 102. ZION AND MOJAVE DESERT WILDERNESS AREAS.**

2 (a) FINDINGS.—Congress finds that Zion National
3 Park’s renowned landscape of soaring cliff walls, forested
4 plateaus, and deep narrow gorges extends beyond the
5 boundaries of the park onto surrounding public lands
6 managed by the Secretary through the Bureau of Land
7 Management. From the pink sand dunes of Moquith
8 Mountain to the golden pools of Beaver Dam Wash, the
9 Zion and Mojave Desert wilderness areas encompass 3
10 major provinces of the Southwest—the sculpted canyon
11 country of the Colorado Plateau, the Mojave Desert, and
12 portions of the Great Basin—a rich mosaic of biological,
13 archaeological, and scenic diversity. One of the last re-
14 maining populations of threatened desert tortoise is found
15 within this wilderness.

16 (b) DESIGNATION.—To protect and manage so as to
17 preserve the natural conditions of the Zion and Mojave

1 Desert wilderness areas of Utah in accordance with the
 2 Wilderness Act (16 U.S.C. 1131 et seq.), the following
 3 lands in the State of Utah are designated as wilderness
 4 and as components of the National Wilderness Preserva-
 5 tion System:

| Name of Wilderness Area | Approximate Acreage |
|---|--------------------------------|
| Beaver Dam Slopes Wilderness: | |
| Beaver Dam Wash | 24,900 |
| Joshua Tree | 13,500 |
| Cottonwood Canyon Wilderness | 11,500 |
| Cougar Creek-Docs Pass Wilderness | 29,400 |
| Upper Kanab Creek Wilderness | 42,200 |
| Moquith Mountain Wilderness | 26,500 |
| Red Mountain Wilderness | 18,500 |
| Zion Wilderness: | |
| Beartrap Canyon | 40 |
| Black Ridge | 21,800 |
| Canaan Mountain | 52,100 |
| Deep Creek | 7,100 |
| Goose Creek | 89 |
| LaVerkin Creek | 567 |
| Orderville Canyon | 6,500 |
| North Fork Virgin River | 1,040 |
| Parunuweap Canyon | 37,700 |
| Red Butte | 804 |
| Spring Canyon | 4,400 |
| Taylor Creek Canyon | 35 |
| The Watchman | 600 |

6 **SEC. 103. GRAND STAIRCASE AND KAIPAROWITS PLATEAU**
 7 **WILDERNESS AREAS.**

8 (a) GRAND STAIRCASE.—

9 (1) FINDINGS.—Congress finds that the area
 10 known as the Grand Staircase rises more than 6,000
 11 feet in a series of great cliffs and plateaus from the
 12 depths of the Grand Canyon to the forested rim of
 13 Bryce Canyon. It spans 6 major life zones, from the
 14 lower Sonoran Desert to alpine forest, and encom-

1 passes geologic formations that display
 2 3,000,000,000 years of earth history. Wildlands,
 3 managed by the Secretary through the Bureau of
 4 Land Management, line the intricate canyon system
 5 of the Paria River and form a vital wilderness cor-
 6 ridor connection to the deserts and forests of these
 7 national parks. Each of the lands described in para-
 8 graph (2) is located within the Grand Staircase-
 9 Escalante National Monument.

10 (2) DESIGNATION.—To protect and manage so
 11 as to preserve the natural conditions of the wilder-
 12 ness area known as the Grand Staircase in accord-
 13 ance with the Wilderness Act (16 U.S.C. 1131 et
 14 seq.), the following lands in the State of Utah are
 15 designated as wilderness and as components of the
 16 National Wilderness Preservation System:

| Name of Wilderness Area | Approximate Acreage |
|--------------------------------|--------------------------------|
| Grand Staircase Wilderness: | |
| Box Canyon | 2,300 |
| Cockseomb | 10,300 |
| East of Bryce | 900 |
| Mud Spring Canyon | 55,100 |
| Paria-Hackberry | 158,700 |
| Squaw and Willis Creek | 22,300 |
| The Blues-Table Cliff | 18,700 |

17 (b) KAIPAROWITS PLATEAU.—

18 (1) FINDINGS.—Congress finds that east of the
 19 Paria River lies the Kaiparowits Plateau, 1 of the
 20 most rugged and isolated wilderness regions in the
 21 United States, a lonely, windswept land of harsh

1 beauty, distant vistas, and a remarkable variety of
 2 plant and animal species. Ancient forests, abundant
 3 big game animals, and 22 species of raptors thrive
 4 undisturbed on its grassland mesa tops. Each of the
 5 lands described in paragraph (2) is located within
 6 the Grand Staircase-Escalante National Monument.

7 (2) DESIGNATION.—To protect and manage so
 8 as to preserve the Kaiparowits Plateau in accord-
 9 ance with the Wilderness Act (16 U.S.C. 1131 et
 10 seq.), the following lands in the State of Utah are
 11 designated as wilderness and as components of the
 12 National Wilderness Preservation System:

| Name of Wilderness Area | Approximate Acreage |
|--------------------------------|--------------------------------|
| Kaiparowits Wilderness: | |
| Burning Hills | 68,400 |
| Carcass Canyon | 72,600 |
| Cave Point | 4,800 |
| Fiftymile Bench | 11,100 |
| Fiftymile Mountain | 173,900 |
| Horse Spring Canyon | 27,900 |
| Nipple Bench | 31,600 |
| Squaw Canyon | 11,200 |
| Wahweap-Paradise Canyon | 228,000 |
| Warm Creek | 21,000 |

13 **SEC. 104. ESCALANTE CANYONS WILDERNESS AREAS.**

14 (a) FINDINGS.—Congress finds that enchanting glens
 15 and coves carved in massive sandstone cliffs, spring-wa-
 16 tered hanging gardens, and the silence of ancient Anasazi
 17 ruins are exemplary of the unique features that entice
 18 hikers, campers, and sightseers from around the world to
 19 Escalante Canyon. This wilderness links the spruce fir for-

1 ests of the 11,000 foot Aquarius Plateau with winding
 2 slickrock canyons that flow into Lake Powell. It protects
 3 critical habitat for deer, elk, and wild bighorn sheep, as
 4 well as the scenic integrity of one of Utah's most popular
 5 natural areas. Each of the lands described in subsection
 6 (b) (other than Dogwater Creek, Long Canyon, and
 7 Notom Bench) is located within the Grand Staircase-
 8 Escalante National Monument.

9 (b) DESIGNATION.—To protect and manage so as to
 10 preserve the Escalante Canyon wilderness areas in accord-
 11 ance with the Wilderness Act (16 U.S.C. 1131 et seq.),
 12 the following lands in the State of Utah are designated
 13 as wilderness and as components of the National Wilder-
 14 ness Preservation System:

| Name of Wilderness Area | Approximate Acreage |
|--------------------------------|--------------------------------|
| Colt Mesa | 23,500 |
| Dogwater Creek | 3,500 |
| Fortymile Gulch | 640 |
| Fremont Gorge | 19,400 |
| Hurricane Wash | 4,300 |
| Long Canyon | 16,400 |
| North Escalante Canyons | 144,000 |
| Notom Bench | 8,400 |
| Phipps-Death Hollow | 43,500 |
| Scorpion | 38,100 |
| Steep Creek | 34,400 |
| Studhorse Peaks | 9,500 |

15 **SEC. 105. HENRY MOUNTAINS WILDERNESS AREAS.**

16 (a) FINDINGS.—Congress finds that the last moun-
 17 tain range to be discovered and named by early explorers
 18 in the contiguous United States, the Henry Mountains,
 19 still retains its wild and mysterious character. Fluted bad-

1 lands adorn the flanks of 11,000 foot Mount Ellen and
 2 Mount Pennell, containing islands of critical habitat for
 3 mule deer and the largest herd of free-roaming buffalo in
 4 the Nation. Despite their relative accessibility, the Henry
 5 Mountains remain 1 of the wildest, least-known ranges in
 6 the United States.

7 (b) DESIGNATION.—To protect and manage so as to
 8 preserve the Henry Mountains in accordance with the Wil-
 9 derness Act (16 U.S.C. 1131 et seq.), the following lands
 10 in the State of Utah are designated as wilderness and as
 11 components of the National Wilderness Preservation Sys-
 12 tem:

| Name of Wilderness Area | Approximate Acreage |
|--------------------------------|--------------------------------|
| Henry Mountains Wilderness: | |
| Bull Mountain | 12,400 |
| Bullfrog Creek | 36,900 |
| Mount Ellen-Blue Hills | 116,900 |
| Mount Hillers | 18,600 |
| Mount Pennell | 141,200 |
| Ragged Mountain | 23,300 |

13 **SEC. 106. DIRTY DEVIL RIVER WILDERNESS AREAS.**

14 (a) FINDINGS.—Congress finds that the Dirty Devil
 15 River, once the fortress hideout of outlaw Butch Cassidy’s
 16 Wild Bunch, has sculpted a maze of slickrock canyons
 17 through an imposing landscape of monoliths and inacces-
 18 sible mesas. This isolated and remote area, long a barrier
 19 to civilization and would-be colonists, now beckons a dif-
 20 ferent type of explorer, the modern recreationist, who

1 seeks to experience solitude and isolation amid spectacular
 2 beauty.

3 (b) DESIGNATION.—To protect and manage so as to
 4 preserve the Dirty Devil River wilderness areas in the
 5 State of Utah in accordance with the Wilderness Act (16
 6 U.S.C. 1131 et seq.), the following lands in the State of
 7 Utah are designated as wilderness and as components of
 8 the National Wilderness Preservation System:

| Name of Wilderness Area | Approximate Acreage |
|----------------------------------|--------------------------------|
| Dirty Devil Wilderness: | |
| Dirty Devil-French Springs | 175,300 |
| Fiddler Butte | 88,200 |

9 **SEC. 107. CEDAR MESA WILDERNESS AREAS.**

10 (a) FINDINGS.—Congress finds that more than a
 11 thousand years ago, the Anasazi Indian culture flourished
 12 in the slickrock canyons and on the pinyon-covered mesas
 13 of southeastern Utah. Evidence of the ancient presence of
 14 the Anasazi pervades the Cedar Mesa area where haunting
 15 cliff dwellings, rock art, and ceremonial kivas embellish
 16 sandstone overhangs and isolated benchlands. This area
 17 cries out for protection from the vandalism and theft of
 18 these unique cultural resources. The Cedar Mesa wilder-
 19 ness areas are created to protect both the Nation’s archae-
 20 ological heritage and extraordinary wilderness scenic and
 21 ecological values.

22 (b) DESIGNATION.—To protect and manage so as to
 23 preserve the Cedar Mesa wilderness areas in accordance

1 with the Wilderness Act (16 U.S.C. 1131 et seq.), the fol-
 2 lowing lands in the State of Utah are designated as wilder-
 3 ness and as components of the National Wilderness Pres-
 4 ervation System:

| Name of Wilderness Area | Approximate Acreage |
|-------------------------------------|--------------------------------|
| White Canyon Wilderness: | |
| Gravel and Long Canyon | 35,000 |
| Cheesebox Canyon | 28,500 |
| Harmony Flat | 9,100 |
| Fortknocker Canyon | 12,400 |
| San Juan-Anasazi Wilderness: | |
| Arch and Mule Canyon | 15,300 |
| Comb Ridge | 15,000 |
| Fish and Owl Creek | 59,000 |
| Grand Guleh | 139,800 |
| Nokai dome | 93,400 |
| Road Canyon | 60,100 |
| San Juan River | 13,200 |
| Squaw and Cross Canyons Wilderness: | |
| Squaw and Papoose Canyons | 6,580 |
| Cross Canyon | 1,000 |
| Dark Canyon Wilderness: | |
| Dark Canyon | 126,500 |
| Sheep Canyon | 3,700 |
| Glen Canyon Wilderness: | |
| Mancos Mesa | 108,700 |
| Little Rockies | 60,000 |

5 **SEC. 108. CANYONLANDS WILDERNESS AREAS.**

6 (a) FINDINGS.—Congress finds that Arches National
 7 Park and Canyonlands National Park safeguard only a
 8 small portion of the extraordinary red-hued, cliff-walled
 9 canyonland region of the Colorado Plateau. Canyons with
 10 rushing perennial streams, natural arches, bridges, and
 11 towers, and the gorges of the Green River, Colorado River,
 12 and Dolores River lie on adjacent wildlands managed by
 13 the Secretary through the Bureau of Land Management.
 14 Designation of these wilderness areas achieves a wholeness

1 of protection for this erosional masterpiece of nature and
 2 the rich pockets of wildlife found within its expanded
 3 boundaries.

4 (b) DESIGNATION.—To protect and manage so as to
 5 preserve the Canyonlands wilderness areas near Arches
 6 National Park and Canyonlands National Park in accord-
 7 ance with the Wilderness Act (16 U.S.C. 1131 et seq.),
 8 the following lands in the State of Utah are designated
 9 as wilderness and as components of the National Wilder-
 10 ness Preservation System:

| Name of Wilderness Area | Approximate Acreage |
|-------------------------------------|--------------------------------|
| Canyonlands Basin Wilderness: | |
| Bridger Jack Mesa | 32,700 |
| Butler Wash | 28,300 |
| Goose Neck | 8,300 |
| Harts Point | 62,800 |
| Indian Creek | 27,000 |
| Shafer Canyon | 3,000 |
| Labyrinth Wilderness: | |
| Labyrinth Canyon | 120,000 |
| Horseshoe Canyon | 51,700 |
| Arches-Lost Spring Wilderness | 16,900 |
| La Sal Canyons Wilderness: | |
| Beaver Creek | 28,200 |
| Fisher Towers | 15,100 |
| Granite Creek | 5,100 |
| Mary Jane Canyon | 24,200 |
| Mill Creek | 15,700 |
| Negro Bill Canyon | 20,600 |
| Seweump Mesa | 600 |
| Behind-The-Rocks Wilderness: | |
| Hunter Canyon | 4,000 |
| Goldbar Canyon | 12,500 |
| Hatch Wash | 14,300 |
| Behind-The-Rocks | 20,300 |
| Westwater Wilderness: | |
| Black Ridge | 5,100 |
| Westwater Canyon | 32,500 |

1 **SEC. 109. SAN RAFAEL SWELL WILDERNESS AREAS.**

2 (a) FINDINGS.—Congress finds that the San Rafael
 3 Swell towers above the desert like a wilderness castle,
 4 ringed by thousand-foot ramparts of Navajo Sandstone.
 5 Its highlands have been fractured by uplift and scooped
 6 hollow by erosion over countless millennia, leaving a tre-
 7 mendous basin punctuated by mesas, buttes, and canyons
 8 and traversed by sediment-laden desert streams. Among
 9 other places, the San Rafael wilderness offers exceptional
 10 back country opportunities in the colorful Wild Horse
 11 Badlands, the monoliths of North Caineville Mesa, the
 12 rock towers of Cliff Wash, and the dark volcanic moun-
 13 tains bordering Capitol Reef National Park. The moun-
 14 tains within these wilderness areas are among Utah’s most
 15 productive habitat for Desert Bighorn Sheep.

16 (b) DESIGNATION.—To protect and manage so as to
 17 preserve the San Rafael Swell wilderness areas in accord-
 18 ance with the Wilderness Act (16 U.S.C. 1131 et seq.),
 19 the following lands in the State of Utah are designated
 20 as wilderness and as components of the National Wilder-
 21 ness Preservation System:

| Name of Wilderness Area | Approximate Acreage |
|--------------------------------|--------------------------------|
| San Rafael Wilderness: | |
| Cedar Mountain | 14,500 |
| Devils Canyon | 21,500 |
| Hondu Country | 18,900 |
| Jones Bench | 2,800 |
| Limestone Cliffs | 21,300 |
| Mexican Mountain | 102,600 |
| Muddy Creek | 246,300 |

| | |
|-----------------------------|--------|
| Mussentuehit Badlands | 23,000 |
| Red Desert | 36,800 |
| San Rafael Reef | 95,000 |
| Sids Mountain | 95,800 |
| Upper Muddy Creek | 17,000 |
| Wild Horse Mesa | 57,400 |

1 **SEC. 110. BOOK CLIFFS AND UINTA BASIN WILDERNESS**

2 **AREAS.**

3 (a) FINDINGS.—Congress finds that the Book Cliffs
 4 and Uinta Basin wilderness areas offer a unique quality
 5 of wilderness big game hunting opportunities in verdant
 6 high-plateau forests, float trips of several days duration
 7 down the Green River in Desolation Canyon, and oppor-
 8 tunity for calm water canoe weekends on the White River.
 9 The long rampart of the Book Cliffs bounds the area on
 10 the south, while seldom-visited uplands, dissected by the
 11 rivers and streams, slope away to the north into the Uinta
 12 Basin. Bighorn sheep, elk, mule deer, bear, and cougar
 13 all flourish in the back country of the Book Cliffs.

14 (b) DESIGNATION.—To protect and manage so as to
 15 preserve the Book Cliffs wilderness areas in accordance
 16 with the Wilderness Act (16 U.S.C. 1131 et seq.), the fol-
 17 lowing lands in the State of Utah are designated as wilder-
 18 ness and as components of the National Wilderness Pres-
 19 ervation System:

| Name of Wilderness Area | Approximate Acreage |
|--------------------------------|--------------------------------|
| Desolation Canyon Wilderness: | |
| Eastern Book Cliffs | 154,600 |
| Desolation Canyon | 527,100 |
| Turtle Canyon | 36,900 |
| White River Wilderness | 9,700 |

| | |
|------------------------------|-------|
| Greater Dinosaur Wilderness: | |
| Bull Canyon | 500 |
| Diamond Breaks | 7,800 |
| Daniels Canyon | 5,300 |
| Moonshine Draw | 3,500 |
| Cold Springs Mountain | 3,400 |
| Wild Mountain | 600 |

1 **TITLE II—ADMINISTRATIVE**
 2 **PROVISIONS**

3 **SEC. 201. ADMINISTRATION.**

4 Subject to valid rights in existence on the date of en-
 5 actment of this Act, each wilderness area designated under
 6 this Act shall be administered by the Secretary in accord-
 7 ance with—

8 (1) section 603 of the Federal Land Policy and
 9 Management Act of 1976 (43 U.S.C. 1782); and

10 (2) the provisions of the Wilderness Act (16
 11 U.S.C. 1131 et seq.) governing areas designated by
 12 that Act as wilderness.

13 **SEC. 202. STATE SCHOOL TRUST LANDS WITHIN WILDER-**
 14 **NESS AREAS.**

15 (a) IN GENERAL.—Subject to subsection (b), if State-
 16 owned land is included in an area designated by this Act
 17 as wilderness, the Secretary shall offer to exchange land
 18 owned by the United States in the same State of approxi-
 19 mately equal value.

20 (b) MINERAL INTERESTS.—The Secretary shall not
 21 transfer any mineral interests under subsection (a) unless

1 the State transfers to the Secretary any mineral interests
2 in land designated by this Act as wilderness.

3 **SEC. 203. WATER.**

4 (a) RESERVATION.—

5 (1) IN GENERAL.— With respect to each wilder-
6 ness area designated by this Act, Congress reserves
7 a quantity of water sufficient for the wilderness
8 area. The priority date of the reserved right shall be
9 the date of enactment of this Act.

10 (2) PROTECTION OF RIGHTS.—The Secretary,
11 and other officers of the United States, shall take
12 any steps necessary to protect the rights reserved by
13 paragraph (1), including the filing of a claim for the
14 quantification of the rights in any present or future
15 appropriate stream adjudication in the courts of the
16 State of Utah in which the United States is or may
17 be joined and that is conducted in accordance with
18 section 208 of the Department of Justice Appropria-
19 tion Act, 1953 (66 Stat. 560, chapter 651).

20 (b) PRIOR RIGHTS NOT AFFECTED.—Nothing in this
21 Act relinquishes or reduces any water rights reserved or
22 appropriated by the United States in the State of Utah
23 on or before the date of enactment of this Act.

24 (c) RULE OF CONSTRUCTION.—The Federal water
25 rights reserved by this Act are specific to the wilderness

1 areas located in the State of Utah designated by this Act.
2 Nothing in this Act related to reserved Federal water
3 rights shall establish a precedent with regard to any future
4 designation of water rights or affect the interpretation of
5 any other Act or any designation made under any other
6 Act.

○